



Chairperson: Bob Wyatt, NW Natural
Treasurer: Frederick Wolf, DBA, Legacy Site Services for Arkema

December 15, 2010

Chip Humphrey
Eric Blischke
U.S. Environmental Protection Agency, Region 10
805 SW Broadway, Suite 500
Portland, OR 97205

Re: EPA December 8, 2010 Directed RI, BHHRA and BERA Comments Letter (Lower Willamette River, Portland Harbor Superfund Site, USEPA Docket No: CERCLA-10-2001-0240)

Chip and Eric:

On December 8, 2010, the LWG received EPA's comments directing the LWG to revise the draft RI and BRA Reports with regard to the conceptual site model, the data lockdown date, and the inclusion of PBDE fish tissue data in the BHHRA. As discussed at our meeting on December 7, 2010, the magnitude of changes necessary to satisfy these directives may vary to a large degree and the LWG believes it would be productive to meet with you and agree to EPA's expectations with regard to the scope of the changes. As you know, the LWG's Order with EPA requires the LWG to notify EPA that it is disputing directive comments from EPA within 14 days of receipt of the direction. Given the nature of these comments, the fact that the LWG spent a great deal of time preparing for the December 14th FS Alternatives meeting with you, and given the upcoming holiday season, there is no practical opportunity for the LWG to assess the impact of the directed changes in both the RI and the FS in 14 days, and make a reasoned determination of whether the directive comments need to be disputed. As has been our practice, the LWG believes that some interim exchanges with EPA may resolve or reduce the number of comments or issues potentially subject to dispute. Therefore, the LWG hereby requests an additional 20 days, until January 12, 2011, as a deadline for the LWG to invoke dispute resolution on these directive comments. I look forward to additional discussion with you in the interim.

Please let me know whether this request is acceptable to EPA.

Sincerely,



Bob Wyatt

cc: Confederated Tribes and Bands of the Yakama Nation
 Confederated Tribes of the Grand Ronde Community of Oregon
 Confederated Tribes of Siletz Indians of Oregon
 Confederated Tribes of the Umatilla Indian Reservation
 Confederated Tribes of the Warm Springs Reservation of Oregon
 Nez Perce Tribe
 Oregon Department of Fish & Wildlife
 United States Fish & Wildlife
 Oregon Department of Environmental Quality
 LWG Legal
 LWG Repository